

STATEMENT OF

WAYNE R. ROGILLIO

ON BEHALF OF THE

NATIONAL ASSOCIATION OF SECURITY AND INVESTIGATIVE REGULATORS

BEFORE THE

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON COMMERCE

SUBCOMMITTEE ON

TELECOMMUNICATIONS, TRADE AND CONSUMER PROTECTION

REGARDING

THE ARMORED CAR RECIPROCITY AMENDMENTS OF 1997

FEBRUARY 11, 1997

**GOOD AFTERNOON, MR. CHAIRMAN AND MEMBERS OF THE
COMMITTEE. MY NAME IS WAYNE ROGILLIO, AND I AM THE EXECUTIVE
SECRETARY OF THE LOUISIANA STATE BOARD OF PRIVATE SECURITY
EXAMINERS. THIS IS THE REGULATORY AGENCY IN LOUISIANA FOR
ARMORED COMPANY CREW MEMBERS. PRIOR TO THIS ASSIGNMENT I WAS
THE CHIEF OF POLICE FOR BATON ROUGE, LOUISIANA. I AM ALSO A
MEMBER OF THE NATIONAL ASSOCIATION OF SECURITY AND
INVESTIGATIVE REGULATORS AND I AM APPEARING HERE TODAY ON
BEHALF OF THAT ORGANIZATION. THIS IS A PROFESSIONAL ASSOCIATION
OF STATE REGULATORY BOARDS WHICH OVERSEE THE PRIVATE SECURITY
AND PRIVATE INVESTIGATIVE INDUSTRIES. IN MOST STATES THIS WOULD
INCLUDE THE ARMORED CAR INDUSTRY.**

**I'M PARTICULARLY PLEASED TO APPEAR BEFORE THIS SUBCOMMITTEE,
CHAired BY FELLOW LOUISIANAN, REPRESENTATIVE TAUZIN.**

IN 1994, AFTER THE ARMORED CAR RECIPROCITY ACT HAD BEEN IN PLACE FOR ABOUT 12 MONTHS, JOHN RUSSI, WHO IS THE DIRECTOR OF LICENSING FOR THE STATE OF FLORIDA AND WHO WAS AT THAT TIME CHAIRPERSON FOR OUR ASSOCIATION, WROTE TO AUTHORS OF PUBLIC LAW 103-55, TO POINT OUT SOME DIFFICULTIES WHICH STATE REGULATORS WERE EXPERIENCING WITH THE LAW AS ENACTED.

THE CHANGES WE WERE SUGGESTING WERE TECHNICAL IN NATURE AND WOULD NOT CHANGE THE INTENT OF THE LAW, WHICH IS TO ALLOW QUALIFIED ARMORED CAR CREW MEMBERS TO MOVE MORE VALUABLES IN INTERSTATE COMMERCE.

THE LANGUAGE IN HR 624 ADDRESSES OUR CONCERNS AND WE WOULD LIKE TO THANK THE AUTHOR OF THE BILL, REPRESENTATIVE WHITFIELD AND THE OTHER COSPONSORS FOR PRODUCING THESE CHANGES.

THE INTENTION OF THE ORIGINAL BILL WHICH WAS INTRODUCED BY MRS. COLLINS AND REPRESENTATIVES OXLEY AND STEARNS, WAS TO MINIMIZE THE BURDENS OF THE STATES IN ALLOWING THE FREE FLOW OF ARMORED CARS IN INTERSTATE COMMERCE. THE MINOR ADJUSTMENTS BEING PROPOSED WILL DELIVER, WE BELIEVE, ON THAT PROMISE.

THIS FIRST PROBLEM WHICH THE ORIGINAL LEGISLATION DID NOT ADDRESS IS THAT SOME STATES REQUIRE ARMORED CAR CREW MEMBERS TO HAVE BOTH A WEAPONS LICENSE AND A SECURITY GUARD LICENSE. SOME REGULATORS WHEN READING PL 103-55 BELIEVE THAT CONGRESS MEANT THAT A WEAPONS LICENSE FROM THE CREW MEMBER'S HOME STATE IS ALL THAT IS NEEDED TO TRAVEL IN INTERSTATE COMMERCE. OTHER REGULATORS FELT THAT THE FEDERAL LAW HAD TO BE MORE EXPLICIT IN PREEMPTING THE SECURITY GUARD PERMIT.

HR 624 DOES THAT IN SEC. 2(A), STATING THAT THE CREW MEMBER

MAY FUNCTION IN ANY STATE AS LONG AS HE OR SHE HAS MET THE REQUIREMENTS OF THE HOME STATE.

THIS MAKES IT CLEAR THAT A CREW MEMBER NEED NOT OBTAIN NUMEROUS SECURITY LICENSES IN STATES THROUGH WHICH THEY PASS. A WEAPON PERMIT, OR WHATEVER ELSE IS REQUIRED IN THE HOME STATE, WOULD BE SUFFICIENT.

THE SECOND PROBLEM IS THAT OF THE REPORTING REQUIREMENTS. THE MEMBERSHIP OF NASIR AGREES THAT STATES SHOULD REQUIRE BOTH TRAINING AND CRIMINAL BACKGROUND SCREENING BEFORE A WEAPON LICENSE IS ISSUED. PL 103-55 REQUIRES THIS IF A STATE WEAPONS PERMIT IS TO BE USED IN INTERSTATE COMMERCE.

REGULATORS REQUIRE THAT THE WEAPONS TRAINING BE DONE BY CERTIFIED INSTRUCTORS. WHEN THE PERMITS ARE RENEWED, OUR AGENCIES COLLECT THIS INFORMATION. MOST STATES HAVE GONE TO A TWO YEAR RENEWAL CYCLE FOR BUDGETARY REASONS.

THE ACT AS WRITTEN REQUIRES THE ANNUAL COLLECTION OF THIS TRAINING INFORMATION. OF THE 33 STATES WHICH REQUIRE TRAINING, ONLY 5 COLLECT THIS INFORMATION ANNUALLY, WHICH MEANS CREW MEMBERS FROM THE OTHER 28 STATES CANNOT TRAVEL IN INTERSTATE COMMERCE.

ATTACHED TO MY STATEMENT IS A LIST OF THE STATES AND THEIR REQUIREMENTS. IF THE BILL IS ENACTED CREW MEMBERS FROM 33 STATES WOULD QUALIFY FOR INTERSTATE TRAVEL.

IN THE CRIMINAL BACKGROUND CHECK SECTION OF PL 103-55, THERE IS ALSO A DRAFTING ERROR INDICATING THAT THE CREW MEMBERS THEMSELVES SHOULD CONDUCT THEIR OWN BACKGROUND CHECKS. THE BILL CORRECTS THE ERROR.

WHILE THIS LAW ONLY DIRECTLY AFFECTS A FEW THOUSAND PEOPLE IN THIS NATION, IT IS CRITICAL TO THE PROTECTION OF VALUABLE GOODS AND SERVICES, PLUS IT SOLVES A PROBLEM FOR STATES BY MAKING IT LEGAL FOR A CREW MEMBER TO CROSS STATE LINES.

THANK YOU MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE AND I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE.

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The association has not received any grants nor has it had contracts with any federal agencies over the previous two years.